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4 SELECT COMMITTEE TO INVESTIGATE THE  
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,  
6 U.S. HOUSE OF REPRESENTATIVES,  
7 WASHINGTON, D.C.

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11 DEPOSITION OF: ROBERT PATRICK LEWIS

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15 Friday, April 15, 2022

16

17 Washington, D.C.

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20 The deposition in the above matter was held via Webex, commencing at 10:08

21 a.m.

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2     Appearances:

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5     For the SELECT COMMITTEE TO INVESTIGATE

6     THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8     [REDACTED] SENIOR ADMINISTRATIVE ASSISTANT

9     [REDACTED] PROFESSIONAL STAFF MEMBER

10    [REDACTED] INVESTIGATIVE COUNSEL

11    [REDACTED] CHIEF CLERK

12    [REDACTED] INVESTIGATIVE COUNSEL

13    [REDACTED] PARLIAMENTARIAN

14

15

16     For THE WITNESS:

17

18     LESLIE MCADOO GORDON

19     McAdoo Gordon &amp; Associates, P.C.

20     1140 19th St NW #602

21     Washington, D.C. 20036

1

2 [REDACTED] We are going on the record at 10:08 a.m. Good morning. This  
3 is the deposition of Robert Patrick Lewis conducted by the House Select Committee to  
4 Investigate the January 6th Attack on the United States Capitol, pursuant to House  
5 Resolution 503.

6 Mr. Lewis, can you please state your full name and spell your last name for the  
7 record?

8 The Witness. Robert Patrick Lewis. Lewis is L-e-w-i-s.

9 [REDACTED] Thank you, Mr. Lewis.

10 At this time, Mr. Lewis, can you please raise your right hand to be sworn by the  
11 official reporter?

12 The Reporter. Do you solemnly declare and affirm under the penalty of perjury  
13 that the testimony you are about to give will be the truth, the whole truth, and nothing  
14 but the truth?

15 The Witness. I do.

16 [REDACTED] Thank you, Mr. Lewis.

17 This will be a staff-led deposition, and members, of course, may also choose to ask  
18 questions.

19 My name is [REDACTED] I'm an investigative counsel with the select  
20 committee. In the room with me today are [REDACTED] investigative counsel; [REDACTED]  
21 [REDACTED] professional staff member; [REDACTED] parliamentarian; [REDACTED] senior  
22 administrative assistant; and [REDACTED] chief clerk. And I think that's everyone.

23 There are currently no members of the select committee in attendance. And I  
24 will announce any additional participants if they join.

25 I would like to note for the record that what has previously been marked as

1 exhibit 1 is the subpoena from Mr. Robert Patrick Lewis, which is dated April 1st, 2022.  
2 The House deposition rules are included the exhibit and were provided to you upon  
3 service of the subpoena.

4 Under the House deposition rules, you are permitted to have an attorney present.  
5 And, at this time, can counsel for the witness please state her full name?

6 Ms. Gordon. My name is Leslie McAdoo Gordon. I am an attorney at law  
7 licensed to practice in the District of Columbia, the State of Maryland, and the  
8 Commonwealth of Virginia.

9 [REDACTED] Thank you, Ms. Gordon.

10 Mr. Lewis, I also want to remind you, as we do with all witnesses, that it is  
11 unlawful to deliberately provide false information to Congress. Providing false  
12 information to Congress could result in criminal penalties, including for perjury and or  
13 providing false statements.

14 Under House deposition rules, you may only refuse to answer a question to  
15 preserve a privilege recognized by the select committee. If you refuse to answer a  
16 question based on a privilege, staff may either proceed with the deposition on other  
17 questions or seek a ruling from the chairman on the objection. If the chairman  
18 overrules your objection, you will be required to answer the question.

19 I'll note for the record that we received a letter from your attorney today around 2  
20 a.m. regarding your objections based on the First and Fifth Amendments. That letter  
21 has been marked as exhibit 23 and will be entered into the record.

22 Ms. Gordon, given that we only received the letter a few hours ago, we're not in a  
23 position to fully respond before today's deposition. But we will work on our response  
24 and send it to you.

25 Mr. Lewis, my goal today during the deposition is to ask questions relevant to the

1 select committee's investigation with the hope that you'll answer. If you have an  
2 objection or a privilege assertion, we'll ask that you or your counsel assert it for the  
3 record.

4 I will seek to clarify the basis for each objection. I understand from the letter  
5 that you may invoke the First or Fifth Amendment or both in response to our questions.  
6 Be that as it may, I will say that our goal is to understand the basis for your objection and  
7 fairly evaluate it. And ultimately the more detail you can provide about the basis for the  
8 objection, the easier it will be for the select committee to consider the objection.

9 In addition, under the House deposition rules, select committee members and  
10 select committee staff may not discuss the substance of testimony you provide today,  
11 unless the committee approves release. You and your attorney will have an opportunity  
12 to review the transcript. No other recordings of this proceeding are permitted.

13 And, Mr. Lewis, can you please confirm that you're not making an audio or video  
14 recording of the deposition?

15 The Witness. I can confirm that.

16 [REDACTED] Thank you, Mr. Lewis.

17 I just want to go through a couple of logistical points. So there is an official  
18 congressional reporter, who is transcribing the record of the deposition. The reporter is  
19 also joining us by Webex, as you saw. Please wait until each question is completed  
20 before you give your response. And we'll try to wait until your response is completed  
21 before we ask our next question. The reporter can't record nonverbal responses, such  
22 as shaking your head. So it's important that you answer each question with an audible  
23 verbal response.

24 For the benefit of the reporter and the record, there may be times where I spell a  
25 name or a word that we're using or I ask you to do the same. We ask that you provide

1 complete answers based on your best recollection. If the question's not clear, please  
2 ask for clarification. And if you don't know the answer, please just simply say so. We'll  
3 just -- also logistically, please let us know if you need any breaks. And, as I was  
4 discussing with Ms. Gordon before we went on the record, throughout the deposition,  
5 we'll be directing your attention to exhibits, which will be displayed on the screen in front  
6 of you. When we refer to you a document, you are free to take time to familiarize  
7 yourself before we discuss the document.

8 And on that note, can we please pull up exhibit 1?

9 EXAMINATION

10 BY [REDACTED]

11 Q Mr. Lewis, do you recognize this as the subpoena the select committee  
12 issued to you?

13 A I decline to answer on the grounds the committee's deposition process  
14 violates the Rules of the United States House of Representatives and based on my rights  
15 under the First and Fifth Amendments to the United States Constitution.

16 [REDACTED] Ms. Gordon, it's just a simple factual question.

17 Ms. Gordon. I know it is. But, as I advised the committee in my letter and as I  
18 have told you repeatedly over the last few weeks via telephone, this organization and the  
19 members and the officers for this organization are a civil liberties group, and they are  
20 protected by the First Amendment from compelled participation in precisely this kind of  
21 investigation or any investigation by the executive branch as well. And so, because it is  
22 a compulsory situation, you have issued a subpoena, the record is what it is. This  
23 document speaks for itself. We are declining under the Constitution and the rules of the  
24 House to answer any question that would be posed in this deposition today. Each and  
25 every question is going to receive the answer that Mr. Lewis just provided.

1           [REDACTED] All right. Well, I will note for the record that exhibit 1 is the  
2 subpoena that the select committee issued to Mr. Lewis. And it is dated April 1st, 2022.

3           BY [REDACTED]

4           Q Mr. Lewis, I'll be leading the deposition today, but one of the other attorneys  
5 on the call may also chime in with questions. Do you have any questions?

6           A I don't.

7           Q I'm sorry, you broke up just then.

8           A No.

9           Q Okay. Thank you.

10           Mr. Lewis, I understand from your attorney -- and we can take this exhibit  
11 down -- Mr. Lewis, I understand from your attorney that there are two separate  
12 organizations that are known as First Amendment Praetorian, with one being a nonprofit  
13 organization and the other a for-profit organization.

14           I also understand from my conversations with your attorney that it was the  
15 nonprofit organization known as 1AP, Inc., that is the relevant entity with regard to  
16 January 6th. The subpoena dated April 1, 2022, reflects that.

17           Ms. Gordon, I understand that you will be sending a briefing paper to us today or  
18 tomorrow regarding the differences and functions of this organization. Is that correct?

19           Ms. Gordon. That's correct.

20           [REDACTED] Thank you.

21           BY [REDACTED]

22           Q Mr. Lewis, what is your role in 1AP, Inc.?

23           A I decline to answer on the grounds the committee's deposition process  
24 violates the Rules of the United States House of Representatives and based on my rights  
25 under the First and Fifth Amendments of the United States Constitution.

1           Q    Thank you.   And, just to be clear, but I understand the basis of the  
2           objection with regards to the Fifth Amendment.   You're invoking the Fifth Amendment  
3           in response to that question on the grounds that your answers could potentially  
4           incriminate you?

5           Ms. Gordon.   Invoking --

6           The Witness.   Is that to me or Leslie?

7           [REDACTED]   I'm sorry, Leslie, your audio is not working.

8           Let's just take a minute recess while we resolve this.

9           [Discussion off the record.]

10          [REDACTED]   All right.   So we will go back on the record at 10:17.

11          Ms. Gordon, I had asked for the basis for Mr. Lewis' invocation of the Fifth  
12          Amendment, and I think you were about to respond.

13          Ms. Gordon.   And the basis of it is set forth in my letter of yesterday's date.  
14          The committee has postulated that there is a criminal conspiracy that they think arises  
15          under 18 U.S.C. 371.   And, based on the committee's view that there is potential  
16          criminal exposure, Mr. Lewis is invoking his Fifth Amendment privilege.

17          The Fifth Amendment, as the Congress should well know, protects the innocent as  
18          well as the guilty, and it is primarily directed at the protection of people who are  
19          innocently caught up in government investigations.   So I object to the characterization  
20          of it as an invocation because it would tend to incriminate, but rather it is an invocation  
21          because the government is postulating criminal exposure.

22          [REDACTED]   Thank you, Ms. Gordon, for that clarification.

23          BY [REDACTED]

24          Q    Mr. Lewis, I'd like to start by getting a little background on the history of the  
25          1AP.



1 [REDACTED] can we pull up exhibit 3?

2 Mr. Lewis, this is a Twitter thread that you posted in September 2020 explaining  
3 the founding of 1AP.

4 [REDACTED] can we go down to number 17?

5 And, you know, this is a very detailed explanation. I'm just curious; there were a  
6 couple of points in which you mention threats from antifa, BLM, others, and, with regard  
7 to number 17, specifically protecting attendees of President Trump's campaign rallies.  
8 And I was hoping you could help me understand what threats you were seeing at those  
9 rallies and how 1AP intended and planned to counter those threats?

10 A I decline to answer on the grounds that the committee's deposition process  
11 violates the Rules of the United States House of Representatives and based on my rights  
12 under the First and Fifth Amendments to the United States Constitution.

13 Q Okay. Thank you, Mr. Lewis.

14 Mr. Lewis, I have a set of questions about the founding of 1AP. Is it your  
15 intention to assert the objections based on the First and Fifth Amendment in response to  
16 all questions the committee would have on that subject?

17 A Yes.

18 Q Thank you. We can take that down.

19 Mr. Lewis and Ms. Gordon, for the purposes of moving along efficiently, I'm happy  
20 to offer the option of simply stating "First and Fifth," that in quotation marks, if your  
21 intention is to raise objections based on those privileges.

22 Ms. Gordon. There is actually a technical objection based on the rules. So I  
23 would suggest that his invocation could say "Rules, First, and Fifth"; that would cover it.

24 [REDACTED] Okay. And we'll take that to understand -- we'll take that to be  
25 shorthand for the full phrase and the associated explanation you gave today and in your

1 letter.

2 Ms. Gordon. Agreed.

3 BY [REDACTED]

4 Q Mr. Lewis, since its founding, can you give me a general sense of what  
5 activity 1AP has engaged in?

6 A "Rules, First, and Fifth."

7 Q Has 1AP provided security services to events other than Trump rallies?

8 A "Rules, First, and Fifth."

9 Q Does 1AP provide surveillance services? And, if so, what does that entail?

10 A "Rules, First, and Fifth."

11 Q Legal services or personal security services?

12 A "Rules, First, and Fifth."

13 Q Mr. Lewis, I have a set of questions about the general activities of 1AP. Is it  
14 your intention to assert objections based off of the First and Fifth Amendment privileges  
15 in response to all questions the committee would ask on that subject?

16 A Yes, it is.

17 Q Thank you.

18 Mr. Lewis, does 1AP get compensated in funds or in kind for providing services?

19 A "Rules, First, and Fifth."

20 Q Does 1AP maintain organizational bank accounts or cryptocurrency  
21 accounts?

22 A "Rules, First, and Fifth."

23 Q Mr. Lewis, is it your intention to assert for the First and Fifth Amendment in  
24 response to all questions the committee would ask about the funding of 1AP?

25 A Yes, it is.

1 Q Mr. Lewis, does 1AP provide trainings or equipment to members? And, if  
2 so, what does that entail?

3 A "Rules, First, and Fifth."

4 Q Mr. Lewis, is it your intention to assert the First and Fifth Amendment in  
5 response to all questions the committee would ask about the resources and training  
6 provided to 1AP members?

7 A Yes, it is.

8 Q Okay. I'd like to move on to the period just before the 2020 election. Mr.  
9 Lewis, were you or anyone affiliated with 1AP involved providing security at polling  
10 locations?

11 A "Rules, First, and Fifth."

12 Q The day before the election, did you believe that there was going to be an  
13 antifa Tet Offensive bent on destroying the global order?

14 A "Rules, First, and Fifth."

15 Q What information did you have to indicate that?

16 A "Rules, First, and Fifth."

17 Q Did you believe that thousands of people were going to be killed as in the  
18 Tet Offensives?

19 A "Rules, First, and Fifth."

20 Q Did you provide any of this information to Federal law enforcement?

21 A "Rules, First, and Fifth."

22 Q Were you surprised when that didn't happen?

23 A "Rules, First, and Fifth."

24 Q Mr. Lewis, in the period after the 2020 election, did you or 1AP help collect  
25 information related to efforts to overturn the election results?

- 1 A "Rules, First, and Fifth."
- 2 Q Did you ever find credible evidence of election fraud?
- 3 A "Rules, First, and Fifth."
- 4 Q Were you surprised when no court agreed that there was election fraud?
- 5 A "Rules, First, and Fifth."
- 6 Q What was your relationship with Sidney Powell at this time?
- 7 A "Rules, First, and Fifth."
- 8 Q During the period after the 2020 election, did you or 1AP provide security at
- 9 any of the "stop the steal" events around the country?
- 10 A "Rules, First, and Fifth."
- 11 Q What was your relationship with Ali Alexander at this time?
- 12 A "Rules, First, and Fifth."
- 13 Q What was your relationship with Alex Jones during this time?
- 14 A "Rules, First, and Fifth."
- 15 Q Tim Enlow?
- 16 A "Rules, First, and Fifth."
- 17 Q Cindy or Scott Chafian?
- 18 A "Rules, First, and Fifth."
- 19 Q Tracy Diaz?
- 20 A "Rules, First, and Fifth."
- 21 Q Mr. Lewis, did you or 1AP provide security for the rallies on November 14th,
- 22 2020, in Washington, D.C.?
- 23 A "Rules, First, and Fifth."
- 24 Q Did you coordinate with any other individuals or organizations for those
- 25 events?

1 A "Rules, First, and Fifth."

2 Q Mr. Lewis, I have a set of questions about the November 14th rallies in  
3 Washington, D.C. Is it your intention to assert the First and Fifth Amendment in  
4 response to any questions the committee would have on that subject?

5 A Yes, it is.

6 Q Thank you.

7 Mr. Lewis, did you or 1AP provide security for the rallies on December 12th, 2020,  
8 in Washington, D.C.?

9 A "Rules, First, and Fifth."

10 Q Did you provide personal security for Michael Flynn?

11 A "Rules, First, and Fifth."

12 Q What was your relationship with Michael and Joseph Flynn during this time?

13 A "Rules, First, and Fifth."

14 Q Did you coordinate with Stewart Rhodes or the Oath Keepers in preparation  
15 for these events? And what was your relationship with Mr. Rhodes or the Oath  
16 Keepers?

17 A "Rules, First, and Fifth."

18 Q Same question for Arina Grossu and Rob Weaver?

19 A "Rules, First, and Fifth."

20 Q Same question for Nick Fuentes and his America First or Groypers group?

21 A "Rules, First, and Fifth."

22 Q Mr. Lewis, I have a set of questions about the December 12th rallies in  
23 Washington, D.C. Is it your intention to assert the First and Fifth Amendment in  
24 response to any questions the committee has on that subject?

25 A Yes, it is.

1           Q     Mr. Lewis, you've claimed to have driven Sidney Powell and Michael Flynn to  
2     the White House on December 18th, 2020.   Were you involved with discussion -- were  
3     you involved in discussions with the White House regarding efforts to overturn the  
4     election?

5           A     "Rules, First, and Fifth."

6           Q     Okay.

7                 Let's move to January 2021.

8           [REDACTED] can we pull up exhibit 8?

9                 Mr. Lewis, on January 4th, 2021, the 1AP Twitter account tweeted out, quote:  
10    There may be some young National Guard captains facing some very, very tough choices  
11    in the next 48 hours.

12                What tough choices did you think they would face?

13           A     "Rules, First, and Fifth."

14           Q     We can that that exhibit down.

15                Mr. Lewis, were you confirmed to speak at the Freedom Plaza rally on January 5th,  
16    2021?

17           A     "Rules, First, and Fifth."

18           Q     Who invited you, and did you speak?

19           A     "Rules, First, and Fifth."

20           Q     Did you or 1AP provide security to anyone on January 5th?

21           A     "Rules, First, and Fifth."

22           Q     During this period were you aware of or involved in any war-gaming efforts  
23    to overturn the election results, including efforts based in the Willard Hotel and including  
24    efforts involving Rudy Giuliani, John Eastman, and Sidney power?

25           A     "Rules, First, and Fifth."

1 Q Have you ever communicated with members of the Trump White House, the  
2 Trump campaign, or the Trump family about the election results?

3 A "Rules, First, and Fifth."

4 Q Moving ahead to January 6th. Mr. Lewis, on January 6th, did you or 1AP  
5 provide security to anyone?

6 A "Rules, First, and Fifth."

7 Q [REDACTED] can we pull up exhibit 12, please? Will you zoom out,  
8 please?

9 Mr. Lewis, do you know who Captain R.A. Briggs, Jr., is?

10 A "Rules, First, and Fifth."

11 Q Was there 1AP members in overwatch positions in Arlington on January 6th?  
12 And, if so, why?

13 A "Rules, First, and Fifth."

14 Q Were these people armed?

15 A "Rules, First, and Fifth."

16 Q [REDACTED] can we go to exhibit 11, please?

17 Mr. Lewis, this is a tweet from the 1AP Twitter account shortly after the Capitol  
18 had been breached on January 6th. It says, quote: The cost of truth is pain. The  
19 greater the truth, the greater potential for pain.

20 Mr. Lewis, what is the truth in this case?

21 A "Rules, First, and Fifth."

22 Q What is the pain in this case?

23 A "Rules, First, and Fifth."

24 Q [REDACTED] can we pull up exhibit 14?

25 Mr. Lewis, this is a tweet from you at 2:18 p.m. on January 6th. What are -- it

1 says, quote: Today is the day the true battles begin.

2 What are the true battles in this case?

3 A "Rules, First, and Fifth."

4 Q [REDACTED] can we pull up exhibit 16?

5 And can we zoom out, please? Thank you?

6 Mr. Lewis, this is one more tweet from you on January 6th. You wrote: Getting  
7 a lot of reports that the Capitol bum rush was staged and not MAGA. It fits the Color  
8 Revolution playbook to a T.

9 What evidence did you have that the Capitol attack was staged?

10 A "Rules, First, and Fifth."

11 Q Will you provide the select committee with evidence that you have that the  
12 Capitol attack was staged?

13 A "Rules, First, and Fifth."

14 Q [REDACTED] can you scroll down?

15 Mr. Lewis, you later wrote on January 6th that you were sitting with Kenneth  
16 Copeland's Christian TV network Victory Channel. Where you were huddled with the  
17 Victory Channel people?

18 A "Rules, First, and Fifth."

19 Q Mr. Lewis, I have additional questions about your activities on January 6th,  
20 2021. Is it your intention to assert the First and Fifth Amendment to any questions the  
21 committee would have on this topic?

22 A Yes, it is.

23 Q Thank you.

24 [REDACTED] we can take that exhibit down.

25 Mr. Lewis, what's your understanding of what happened on January 6th?



1 A "Rules, First, and Fifth."

2 Q Were you troubled that the election results weren't overturned?

3 A "Rules, First, and Fifth."

4 Q Did you engage in any activities between January 6th and January 20th,  
5 2021, to overturn the certified election results?

6 A "Rules, First, and Fifth."

7 Q Have you engaged in any activities since January 20th, 2021, to try to install  
8 Donald Trump as President during this term?

9 A "Rules, First, and Fifth."

10 Q Can you describe your relationship with Michael Flynn since January 6th?

11 A "Rules, First, and Fifth."

12 Q Joseph Flynn?

13 A "Rules, First, and Fifth."

14 Q Sidney Powell or John Eastman?

15 A "Rules, First, and Fifth."

16 Q Do you have a relationship with Donald Trump?

17 A "Rules, First, and Fifth."

18 Q I'm going to pause here and see if any of my colleagues have any questions  
19 before I -- before we wrap up.

20 Mr. Lewis, have you been interviewed by law enforcement regarding your  
21 knowledge of events in Washington, D.C., on January 6th?

22 A "Rules, First, and Fifth."

23 Q Have you been contacted by the FBI regarding January 6th?

24 A "Rules, First, and Fifth."

25 Q Have you been contacted by any attorneys representing individuals charged

1 with criminal conduct on that day?

2 A "Rules, First, and Fifth."

3 Q Is it your intention to assert the First and Fifth Amendment in response to all  
4 questions we ask you regarding contact made by law enforcement investigating the  
5 events of January 6th?

6 A Yes, it is.

7 Q Mr. Lewis -- and this may be a question better directed at Ms. Gordon. The  
8 letter dated April 13th, 2022, and that we've marked as exhibit 2 indicates that Mr. Lewis  
9 refuses to produce any documents in response to the committee's subpoena in part  
10 based on Fifth Amendment objections. And I just wanted to clarify the basis for those  
11 objections because the letter did not explain it; at least that specific letter did not explain  
12 it. Is Mr. Lewis invoking his right because the act of production would violate his Fifth  
13 Amendment rights, or is it that the content of the documents raises Fifth Amendment  
14 concerns?

15 Ms. Gordon. So we're raising it as to production -- objection to the production of  
16 the documents. So it is -- you're correct; it is not specifically set forth in the letter April  
17 13th. But, in my letter of April 14th, I say that the rationale and the letter of the 14th  
18 covers both document production and deposition questions.

19 [REDACTED] Thank you for clarifying.

20 BY [REDACTED]

21 Q All right.

22 Mr. Lewis, just a couple more questions. Are you familiar with the QAnon  
23 conspiracy theory?

24 A "Rules, First, and Fifth."

25 Q Michael Flynn seems to be a QAnon follower. Do you believe in QAnon as

1 well?

2 A "Rules, First, and Fifth."

3 Q Mr. Lewis, will you share with the select committee any evidence that you  
4 have that January 6th was a false flag operation?

5 A "Rules, First, and Fifth."

6 Q Do you believe the 2020 election was stolen?

7 A "Rules, First, and Fifth."

8 Q Do you believe Joe Biden is the legitimate President of the United States?

9 A "Rules, First, and Fifth."

10 Q Okay. Thank you, Mr. Lewis.

11 At this point, Mr. Lewis has asserted First and Fifth Amendment privileges as a  
12 basis to refuse to answer all of the select committee's questions today.

13 Under these circumstances, we will not close the record on the deposition as the  
14 select committee determines the appropriate course of action to move forward.

15 And, before we go off the record, I will pause to see if any of my colleagues wish  
16 to offer anything else.

17 Okay.

18 At this time, the deposition will stand in recess, subject to the call of the chair.

19 Ms. Gordon. [Inaudible.]

20 [REDACTED] Leslie, your audio is not working again.

21 Ms. Gordon. Can you hear me now?

22 [REDACTED] Very faintly.

23 Ms. Gordon. Can you hear me now?

24 [REDACTED] Yes.

25 Ms. Gordon. Yes. Before we wrap, I want to reiterate again that the privileges

1       that we're --

2               ██████████ I'm sorry. Ms. Gordon, I just want to confirm with the reporters  
3       that we are still on the record.

4               The Reporter. Yes. We are on the record.

5               Ms. Gordon. But, before we wrap up, I want to assert again that the reason that  
6       Mr. Lewis and his organization is asserting constitutional privileges is because of the  
7       decisions and choices that the committee has made to pursue this interview in a  
8       nonvoluntary fashion and its own assertion that there is criminal exposure for the reasons  
9       set forth in its legal pleadings.

10              Many of the questions that you have asked today we would have been willing to  
11      answer voluntarily but not in the context of a compelled interview.

12              And if the situation of the Fifth Amendment could be resolved, again, all of  
13      that -- the committee holds the keys to resolving all of those problems and obtaining  
14      information that it's seeking apparently from Mr. Lewis and from First Amendment  
15      Praetorian.

16              ██████████ Well, Ms. Gordon, thank you for those remarks. And I just want  
17      to state for the record that we were, I think, having productive conversations towards a  
18      voluntary interview. You have stated your client's position. The committee has made  
19      filings in different cases. And I just want to be clear that, you know, I repeatedly tried to  
20      scope a potential interview with you and try to understand the actual topics that Mr.  
21      Lewis would actually answer. And I regret that it's gotten to this point where a  
22      compulsory process was necessary, but this is the path that the committee has  
23      determined is the best course of action.

24              Ms. Gordon. Well, to be clear on that, the compulsory process was initiated  
25      from the beginning. The discussions we had about doing a voluntary participation

1 occurred after the committee had already issued subpoenas.

2 But I agree with you, we were making very good progress toward having a  
3 voluntary situation until the committee served us with the possibility of a criminal  
4 conspiracy and the possibility of criminal prosecution, which obviously puts an entirely  
5 different light on the entire situation. But, again, the committee has the ability to  
6 resolve both of the constitutional problems that we're raising. If it wants to do so, all it  
7 needs to do is contact me to see about resolving it.

8 [REDACTED] Understood. And we understand that you've taken the position  
9 that Mr. Lewis could potentially be implicated in a criminal conspiracy.

10 Ms. Gordon. That's not my position; it's the committee's position based on its  
11 filing. That is very clearly stated in my letter.

12 [REDACTED] Okay. All right.

13 Thank you both.

14 And we'll go off the record at 10:39.

15 Mr. Lewis, Ms. Gordon, thank you for being here.

16 Ms. Gordon. Thank you.

17 [REDACTED] Ms. Gordon, I'll see you on Monday.

18 Ms. Gordon. Okay. Bye.

19 [REDACTED] Take care.

20 Ms. Gordon. Have a nice holiday.

21 [REDACTED] You too.

22 [Whereupon, at 10:40 a.m., the deposition was recessed, subject to the call of the  
23 chair.]

1                                      Certificate of Deponent/Interviewee

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4            I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the  
5 answers made by me to the questions therein recorded.

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Witness Name

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Date

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